

### **Remarks/Arguments**

Claims 1-14 presently pending in this application now stand Finally Rejected. Applicants request they be allowed to amend claims 1, 11 and 13 to better distinguish applicants' invention from the art of record. Ample antecedent basis exists in the specification for the claim amendments.

Before proceeding to address the examiner's rejections, applicants will briefly summarize their invention to assist the examiner in better appreciating the differences between applicants' invention and the art of record. As recited in amended claim 1, applicants provide a method for producing show in a production environment having at least one processing unit in communications with a plurality of production devices. The method commences upon the receipt of a show rundown manually assembled by a producer to comprise a plurality of story files. Typically, the story files are selected by a producer from news files originating either from local reporters or automated news sources. The show rundown undergoes conversion into broadcast instructions that, when executed, enable the transmission of commands to control a plurality of production devices to thereby produce the show live in real time for at least one of transmission and recording. The plurality of production devices includes a plurality of a camera, a robotic pan/tilt head, an audio mixer device, teleprompting means, and a special effects device.

### **35 U.S.C. 102(e) Rejection of Claims 1, 11, and 13**

Claims 1, 2, 11, and 13 stand Finally Rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent 5,795,228, issued August 18, 1998, in the name of Douglas Trumbull et al. Applicants respectfully traverse the rejection.

The Trumbull patent concerns an interactive-computer based system that interacts with a user to present audio-visual and/or computer-generated images responsive to user input signals. A user interface receives signals from the user that specifying selected content, i.e., selected audio, video and/or computer images desired by the user. For example, the user enters input signals to interact with ongoing entertainment. One or more of the input signals generated by the user allow a database to identify the user and to retrieve an associated profile for that user. In accordance with the profile, an activity server generates a set of show control

signals that designated audio, video and or computer-generated graphical images that reflect the user's desired interaction with the entertainment presented to the user.

As now amended, applicants claims 1, 11 and 13 now recited the feature of "receiving a show rundown manually assembled by a producer to comprise a plurality of story files". Applicants respectfully submit that Trumbull et al does not teach this feature.

In support of his rejection of claims 1, 2, 11 and 13, the examiner's relies on the disclosure at Col. 13, lines 19-21 of Trumbull et al. patent to assert that patent teaches a conversion of the show run down to broadcast instructions to produce a show. However, Trumbull et al does not receive a show run down manually assembled by a producer. As discussed at Col. 6, lines 29 of Trumbull et al.

"The Activity Server 18 provides a show in accordance with prescribed algorithms indicative of activities which occur during the show, such as whether to prompt users for input, what lighting and audio operations to execute and what images to generate. In the preferred embodiment, the Activity Server 18 need not perform the same show twice, but instead accepts input from users and operators to perform shows which vary in length and composition each time."

As the above-cited disclosure of Trumbull et al. makes clear, the story files produced by the activity server do not originate from manual assembly by a producer. Rather, the activity server generates the show rundown in an interactive manner based on user input. In other words, show rundown creation depends on the user (i.e., the viewer), rather than the show producer.

In the absence of any teaching in Trumbull et al. of a producer manually assembling the show rundown, applicants' claims 1, 2, 11 and 13 patentably distinguish over this patent. Applicants respectfully request withdrawal of the 35 U.S.C. 102(b) rejection of claims 1, 2, 11 and 13.

#### **35 U.S.C. 103(a) Rejection of Claims 3-6, 8-12 and 14**

Claims 3-6, 8-12 and 14 stand Finally Rejected under 35 U.S.C. 103(a) as obvious over the Trumbull et al. patent, in view of U.S. Patent 6,437,802, issued August 20, 2002 from an application filed July 14, 1999, in the name of Kevin Kenny. Applicants respectfully traverse this rejection.

Applicants have discussed the Trumbull et al. patent will not repeat that discussion here for the sake of brevity. For purposes of the instant rejection, applicants reiterate that Trumbull et al. does not teach or suggest receiving a show rundown manually assembled by a producer to comprise a plurality of story files.

The Kenny patent concerns a technique for throttling commands in a broadcast automation system by interleaving play list loads and edit commands. In this way, devices within the system can receive an incomplete schedule, which the devices can immediately execute. As later events undergo processing, the devices can execute such events as they become processed. The Kenny patent remains silent regarding receipt of the show rundown files, and thus provides no disclosure or suggestion concerning manual assembly by a director.

Claims 3, 12, and 14 depend from claims 1, 11, and 13, respectively, and recite the additional feature of monitoring for inter-file activity and synchronizing the show rundown with the broadcast instructions. In rejecting claims 3, 12, and 14, and the claims that depend therefrom, the examiner contends that the Trumbull et al. patent discloses all of the features of claims 1, 11, and 13, but does not teach monitoring and synchronizing of inter-file activity. The examiner relies on the Kenny patent to teach the monitoring of inter-file activity and the **synchronization** of the show rundown with the broadcast instructions.

As discussed in applicants' previous response, the Kenny patent makes no mention of monitoring inter-file activity and synchronizing the show rundown with the broadcast instructions. At best, the disclosure at Col. 4 lines 10-12 of Kenny relied upon by the examiner concerning editing the play list to reflect the addition of a new "edit" command. The editing of the play list stems from checking each newly received command (see Col. 4, lines 6-9 of Kenny) to determine its status, *not by monitoring inter-file activity* as recited in applicants' claims, for detecting changes, such as changes in script text, file locations, graphical effects. Thus, the combination of Trumbull et al. and Kenny would not teach all of the features of applicants' claims, including the step of monitoring inter-file activity. For this reasons, applicants' claims 3-6, 8-12 and 14 patentably distinguish over the art of record. Applicants respectfully request withdrawal of the 35 U.S.C. 103(a) rejection of claims 3-6, 8-12 and 14.

**35 U.S.C. 103(a) Rejection of Claims 7 and 9**

Claims 7 and 9 stand Finally Rejected under 35 U.S.C. 103(a) as obvious over Trumbull et al, in view of Kenny, further in view of U.S. Patent 6,441,832, issued August 27, 2002, from an application filed November 26, 1997, in the name of Akihiko Tao et al. Applicants respectfully traverse the rejection.

Applicants have discussed the Trumbull et al. and Kenny patents, and will not repeat that discussion here. For purpose of the present rejection, applicants reiterate that neither of the Trumbull et al. nor Kenny patents, nor their combination, teach or suggest the feature of monitoring inter-file activity nor synchronizing said show rundown with said broadcast instructions.

The Tao et al. patent teaches a hierarchical processing apparatus for video and audio for editing a play list. A display device displays the first and second play list hierarchies to allow interaction between the play lists. Like Trumbull et al. and Kenny, Tao et al. does not teach monitoring inter-file activity nor synchronizing said show rundown with said broadcast instructions.

Applicants' claim 7 depends from claim 3 and further includes the feature of adjusting un-executed broadcast instructions such that the total execution time does not exceed a predetermined time. In rejecting claim 7, the examiner contends that the Trumbull et al. and Kenny patents teach all of the features of claim 7, except the feature of adjusting the broadcast instructions. For that teaching, the examiner relies on the Tao et al. patent. The examiner maintains that the browse feature of Tao et al., which outputs a selected play list for a predetermined time, constitutes the same feature as recited in claim 7.

Applicants take issue with the examiner's rejection of claim 7 for several reasons. First, the combination of Trumbull et al. and Kenny does not teach monitoring inter-file activity and synchronizing said show rundown with said broadcast instructions. Since the examiner has not cited Tao for such a teaching, the combination of Trumbull et al., Kenny and Tao would not teach the synchronization of the show rundown with the broadcast instructions recited in claim 3, and incorporated by reference in claim 7.

Assuming arguendo that Trumbull et al. and Kenny teach the synchronization of the show rundown with the broadcast instructions, applicants maintain that the Tao et al. patent does not teach or suggest applicants' feature of adjusting the unexecuted broadcast instructions such that the total execution time does not exceed a predetermined time. At best, Tao et al. teach the desirability of enabling a user to output a play list for a selected time.

However, the Tao et al. patent contains no disclosure about making any modifications or adjustments to the play list so that the unexecuted portions will execute in a reduced time such that the total execution time does not exceed a predetermined time. Absent any disclosure that executing the browse function of Tao et al. will reduce the execution time of the unexecuted the play list, the Tao et al. patent, when combined with Trumbull et al. and Kenny, would not teach all the features recited in applicants' claim 7. Applicants respectfully request withdrawal of the 35 U.S.C. 103(a) rejection of this claim.

Claim 9 depends from claim 1 and further recites the feature of associating broadcast element files with each story file to link a group of production devices to each story file. As discussed previously, neither the Trumbull et al. nor Kenny patents, nor their combination, teaches the feature of receiving a show rundown manually assembled by a producer to comprise a plurality of story files, as recited in claim 1 and incorporated by reference in claim 9. The Tao et al. patent likewise fails to disclose or suggest this feature. Accordingly, claim 9 patentably distinguishes over the art of record, and applicants respectfully request withdrawal of the rejection of this claim.

### **35 U.S.C. 103(a) Rejection of Claim 10**

Claim 10 stands Finally Rejected under 35 U.S.C. 103(a) as obvious over the Trumbull et al. patent, in view of the Tao et al. patent, further in view of U.S. Patent 5,450,140, issued September 12, 1995, in the name of Kinya Washino. Applicants respectfully traverse this rejection.

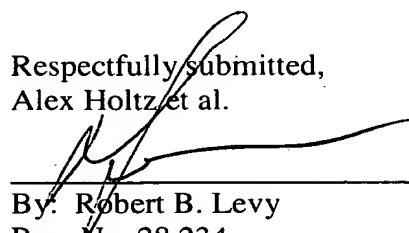
Applicants have discussed the Trumbull et al. and Tao et al. patents and will not repeat that discussion here. For purposes of this rejection, applicants reiterate that neither Trumbull et al. nor Tao et al. teach the feature of receiving a show rundown manually assembled by a producer to comprise a plurality of story files as recited in claim 1, and incorporated by reference in Claim 10. The Washino patent likewise contains no disclosure concerning receiving a show rundown, let alone a shoe rundown manually assembled by a producer. Therefore, claim 10 patentably distinguishes over the combination of Trumbull et al., Tao et al. and Wahsino. Applicants respectfully request withdrawal of the 35 U.S.C. 103(a) rejection of claim 10.

**Conclusion**

In view of the foregoing remarks, applicants respectfully solicit entry of this amendment and reconsideration of the rejection. If, however, the Examiner believes that such action cannot be taken, the examiner is invited to contact the applicant's attorney at (609) 734-6820 to arrange for a mutually convenient date and time for a telephonic interview.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account **07-0832**.

Respectfully submitted,  
Alex Holtz et al.

  
By: Robert B. Levy  
Reg. No. 28,234  
Phone (609) 734-6820

Patent Operations  
Thomson Licensing Inc.  
2 Independence Boulevard - Suite 2  
Princeton, New Jersey 08540  
June 6, 2005